

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

v. :

GLENN GRIFFIN, :

Defendant. :

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ORDER

22 CR 390-1 (VB)

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>4/30/2025</u>
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By letter dated April 29, 2025, defendant Griffin advised the Court that he intends to call eight individuals to speak on his behalf at his upcoming sentencing, which is scheduled for June 11, 2025. (Doc. #132).

To the extent Griffin assumes he has a statutory right to call character witnesses at sentencing, he is mistaken. Rule 32(i)(4) of the Federal Rules of Criminal Procedure provides that only the defendant, his attorney, the government's attorney, and any victims be allowed to speak at sentencing. The Court is not required to permit anyone else to speak. See United States v. Degroate, 940 F.3d 167, 175–76 (2d Cir. 2019) (“To allow such testimony would potentially result in a mini-trial of the defendant’s character following the trial of his guilt.”). The Second Circuit’s decision in Degroate aligns with that of several other circuit courts. See id. at 175 & n.25 (citing cases). Griffin is, of course, welcome to submit written statements from his supporters “regarding the impact his sentencing would have on their lives and the broader community.” (Doc. #132 at 1).

Notwithstanding the foregoing, in an exercise of its discretion, the Court will allow a maximum of three individuals (other than Griffin and his attorney) to make brief statements on Griffin’s behalf at sentencing, subject to the following conditions: (i) by no later than May 21, 2025, Griffin’s attorney shall submit a letter identifying up to three individuals who are expected to speak on Griffin’s behalf, and further identifying which of these individuals require(s) a Spanish interpreter; and (ii) to ensure that the government has sufficient notice of the information to be presented, defense counsel must briefly summarize in his letter the subject matter about which each person will speak.

Dated: April 30, 2025
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge